

store with John Adams with our young children, lining them up, getting their shoes. Those children are all grown now. And John Adams is still there. He is still one of the reasons why I love my home in Burlington and why Vermont always has been and always will be home.

I ask unanimous consent that an article from the Burlington Free Press, dated Sunday, April 19, 1998, entitled "Shoe Biz" be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, Apr. 19, 1998]

#### SHOE BIZ

(By Melissa Garrido)

John Adams remembers when Oldsmobiles rolled down Church Street. He recalls the days when ladies strolled by the shops in matching handbags, hats and high heels. And he can't forget the time Abernethy's department store gave away mink scarves for its 105th anniversary in 1951.

Burlington's main drag has changed since then. One thing hasn't changed: People are still wearing the wrong shoes.

"You could see where the wrinkle is on his shoe. It's in the wrong spot—he's wearing his shoe too big," said John Adams, peering over his square glasses at a man in clunky sneakers hoofing past his store, Adams Boots & Shoes.

Adams, 73, has been selling shoes on upper Church Street for more than four decades. To him, the street is the heart of Vermont. He made his best friends and found prosperity here. He watched Abernethy's endure a fire and remembers when expensive leather shoes cost \$15.

As businesses came and went, Adams' customers grew out of Stride Rites into Florsheim Royal Imperials. He has outlasted almost every other entrepreneur on Church Street.

"I've had the privilege of going from the old days to the new days," Adams said in his raspy voice. A quiet man, Adams sometimes winds up when he tries to make a point, and uses his hands to recount a story.

"I saw . . . (Church Street) transform into the Marketplace," he said. "Every time they put a brick down, it was a step toward another year."

#### FIRST STEPS

Adams' shoe career began in the 1950s, when he quit his job installing radio and television towers around the United States for a construction company. He felt the job was too dangerous a way for a husband and father to earn a living.

In the late 1950s, he landed a position as a shoe clerk with the Massachusetts-based Dennis Shoe Company, which rented retail space at Abernethy's, the old Vermont landmark on the corner of Church and Pearl streets.

"I didn't ask how much it paid," he said. "I just came up to work."

Adams had no clue he would remain in the foot business until the turn of the century.

In 1983, a year after Abernethy's closed, Adams relocated the Dennis Shoe Co.'s operation to Almy's in the University Mall. In 1984, the shoe company moved back downtown into the Gladstone building, but went out of business the same year. Adams bought the small store and renamed it Adams Boots & Shoes.

"I was excited about it," Adams said. "But I still wasn't my own boss. The customers were the boss; they still are."

In 1996, he moved across the street, back into the original Abernethy's building on upper Church Street, to make room for the Eddie Bauer store.

"The store has been his life," said Adams' 46-year-old son David, a senior vice president at Vermont National Bank. "It's what keeps him going."

"All he does is talk about the store," he said.

#### PERSONAL TOUCH

With a shiny shoe horn tucked in his back pocket, Adams bent down and pressed the outer edge of Alex Brett's foot to feel the girth of a shoe. He tugged on the tongue, poked at the space between the 11-year-old's big toe and the tip of the shoe, and squinted as he examined the vamp.

"I like the way this one feels better," Adams told Alex's father as he squeezed the sides of the left 8½ oxford.

"Which one feels better?" he asked the boy.

"The left."

Adams tossed his hands in the air and grinned: "I might be old, but I can still tell the difference."

The shoe store owner still runs his business the old-fashioned way.

He special-orders shoes, calls his elderly female customers "young gals," and he never lets customers put on and take off their own shoes.

"There's nothing that irritates me more than a clerk who watches a customer put on a shoe," said Adams, who calls himself a shoe fitter, not a shoe salesman. Unlike the average part-time shoe clerk, he brings a formal education in fitting shoes to his trade.

Decade after decade, his customers return, first with their children, then with their grandchildren. They come for his personal service and his expertise in fitting children's shoes.

For Sen. Patrick Leahy, the shoe fitter is part of his fondest memories from his days as a Burlington prosecutor in the 1960s. Leahy used to buy shoes from Adams for his children when they were in grade school. Leahy remembers when Adams would line the three up and measure their feet with a cold, metal Brannock, a device used to gauge the size and width of a foot. "He never lost his patience even when the youngest one was squirming," Leahy said.

"In an impersonal world, it's kind of nice to walk in somewhere and not only do you know the person in the store, but they know you and actually care," he said. "We still have places like this in Vermont, and that's why it will always be home."

#### SLOWER PACE

These days, Adams is trying to stay in business as the mom and pop shops are replaced by franchises. The four blocks of Church Street between Main and Pearl Streets have become a melange of tourists toting shopping bags, students in backpacks heading into bars, and downtown employees grabbing a quick bite to eat.

"I have no intentions of giving up, and I don't intend to retire," Adams said.

Business trends do not shock the entrepreneur.

"Everyone is concerned about Wal-Mart and the other stores. I'm not a lover of the big-box stores, but they do bring in an extra 5,000 people.

"That just means we have to work a little bit harder," he said.

Like the business in his store, Adams is slowing down.

A couple of years ago, he was diagnosed with cancer. Though he says he has "licked it," he doesn't like to talk about the ailment that keeps him away from his customers about one day a week—not even to his employees.

"I can't wait to go to work the next morning, because you have your mind on other people," Adams said. "You forget the aches and pains."

Aches and pains brought Jan Lawrence of Williston to Adams about 30 years ago. Her daughter was having foot problems, and a Barre doctor suggested she take her to Adams to have her feet fitted properly.

"You spend anything you want on clothes," said Lawrence, 52, "but never gyp on a shoe, because you'll have foot problems later on in life."

Today, Lawrence buys her shoes from only Adams.

"You are important to John at all times," she said. "Even when he is not feeling well, he does his best to serve you and your needs."

As Adams moves toward the millennium, he is adamant about remaining a part of Church Street. The shop owner is eager to see new stores like Filene's sprout in downtown and lure customers. He hopes a new department store might rekindle the heyday of Abernethy's.

"It was a lot more fun in those days than it is today," Adams said. "It was a slower pace back then. Everyone is always in a rush today."

Mr. LEAHY. Mr. President, I thank the distinguished Senator from Delaware for his usual courtesy. I see the Senator from Iowa, so I will not suggest the absence of a quorum. I yield the floor.

Mr. GRASSLEY addressed the Chair.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to have the floor to speak for a few minutes as in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

#### HOME HEALTH INTEGRITY PRESERVATION ACT OF 1998

Mr. GRASSLEY. Mr. President, yesterday, I introduced Senate Bill 2031, the Home Health Integrity Preservation Act of 1998. I am pleased that Senator BREAUX cosponsored this bill. This legislation will be an important tool in combating the waste, fraud and abuse that has threatened the integrity of the Medicare home health benefit.

Although the majority of home health agencies are honest, legitimate, businesses, it is clear that there have been unscrupulous providers. Last July, the Senate Special Committee on Aging, which I chair, held a hearing on this topic. The hearing exposed serious rip-offs of the Medicare trust fund, and highlighted areas that need more stringent oversight.

In response to the hearing, Senator BREAUX and I followed up with a roundtable discussion on home health fraud. The roundtable brought together key players with a variety of perspectives. Participants included law enforcement, the Administration, and the home health industry.

The roundtable yielded a number of proposals which were shaped into draft legislation and circulated to a wide variety of stakeholders. In response to comments, the draft was changed to address legitimate concerns that were

raised. The result is a balanced piece of legislation that includes important safeguards against fraud and abuse of the system, but does not stifle the growth of legitimate providers.

The Home Health Integrity Preservation Act of 1998 would do the following: It would modify the surety bond requirement in the BBA so that only new agencies need to obtain surety bonds. Because HCFA's surety bond rule goes far beyond Congress's intention to keep bad providers from entering Medicare, many existing agencies with no history of fraud have been unable to obtain bonds. This provision would force HCFA to return to Congress's original intention. It also reduces the amount of the bond needed to \$25,000.

It would heighten scrutiny of new home health agencies before they enter the Medicare program, and during their early years of Medicare participation.

It would improve standards and screening for home health agencies, administrators and employees.

It would require audits of home health agencies whose claims exhibit unusual features that may indicate problems, and improve HCFA's ability to identify such features.

It would require agencies to adopt and implement fraud and abuse compliance programs.

It would increase scrutiny of branch offices, business entities related to home health agencies, and changes in operations.

It would make more information on particular home health agencies available to beneficiaries.

It would create an interagency Home Health Integrity Task Force, led by the Office of the Inspector General of Health and Human Services.

It would reform bankruptcy rules to make it harder for all Medicare providers, not just home health agencies, to avoid penalties and repayment obligations by declaring bankruptcy.

This legislation is an important step in ensuring that seniors maintain access to high quality home care services rendered by reputable providers. I urge my colleagues to join me in this effort by cosponsoring this important legislation.

#### FINDING THE FUDGE FACTOR

Mr. GRASSLEY. Mr. President, based on recent remarks by the President, I don't know whether to laugh or cry. If the story as reported is true, it is an unfortunate commentary. In a recent meeting with religious leaders, Mr. Clinton asked them to withdraw their support for a legislative effort to hold countries to account that engage in religious persecution. Mr. Clinton, it seems, does not like legislation that imposes sanctions. Well, that's not precisely right. What he does not like is sanctions that he didn't think of. When he wants sanctions on Iraq, for example, he is all for sanctions. But when it comes to other issues he cares less about, well, suddenly he finds them unwelcome.

What are some of these? Well, he doesn't like mandatory sanctions for violations of human rights. He objects to sanctions to stop the spread of nuclear weapons. He is not partial to sanctions on countries that persecute people for their religious beliefs. And he finds the idea of sanctions on countries that do not do enough to stop the traffic of illegal drugs to the United States burdensome. In a flight of candor with the religious leaders, he allows as how it is difficult to be honest in assessing another country's behavior if sanctions might be involved. "What always happens," he says, "if you have automatic sanctions legislation is it puts pressure on whoever is in the executive branch to fudge an evaluation of the facts of what is going on."

That is refreshingly frank. It is also disturbing. When I look up "fudge" in the dictionary, this is what it tells me the word means: to fake; to falsify; to exceed the proper bounds or limits of something; to fail to perform as expected; to avoid commitment.

If I am to believe these remarks, what the President is saying is that his Administration finds it necessary to falsify the facts; to avoid commitment; to fake information. His Administration finds it difficult to be honest when it comes to telling the Congress and the public what other countries are doing on critical issues. I guess the question we need to ask now is, what is the fudge factor in the various reports this Administration has submitted on these issues? We need to know this for past reports. And we need to know what this factor is in order to properly evaluate future assessments.

The reason we need to know this is for what the President's comments suggest. If we believe this report, the President is telling us that his Administration finds it necessary to be less than candid when it comes to enforcing the law. Now, I know that many Administrations do not like the idea that Congress also has foreign policy responsibilities. Many Administrations have fought against sanctions for this or that issue they did not think of.

They have also fought for sanctions when it was their idea. What is of concern here is the admission that this Administration fights shy of telling the truth in situations where it does not approve of the sanctions. It fudges the facts, presumably, even though the President has the discretion, in law, to waive any sanctions for national security reasons. This then is a candid admission that it enforces the laws it likes and fudges those it does not. I find this disturbing.

Perhaps the Administration could explain just why it needs to fudge the facts on drug certification, for example. What drug certification requires is that the President assess what other countries are doing to help stop the production and traffic of illegal drugs. This means assessing what they are doing to comply with international law. To make a judgment about what

they are doing to live up to bilateral agreements with the United States.

And to account for what these countries are doing to comply with their own laws. The certification law gives the President considerable flexibility in determining whether these activities meet some minimally acceptable standards. He is not required to impose sanctions unless he determines, based on the facts, that a country is not living up to reasonable standards. And he can waive any sanctions. This gives the Administration a great deal of latitude. I have defended this flexibility. I have argued that just because the Congress and the Administration disagree, honestly, over an assessment, it does not mean that the facts are not honest. Or that the judgment is dishonest. But these recent remarks open up another concern. If the facts are fudged, however, just how are we to determine what to make of the judgment that follows?

And what is the occasion for employing the fudge factor? What is it being avoided or dodged? What the certification law and many of these others that require sanctions ask for is not terribly complicated or outlandish. They express the expectation of the Congress and of the American public that countries live up to certain responsibilities. And more, that failure to do so involves consequences. This is, after all, the expectation of law and of behavior in a community of civilized nations. The want of such standards or the lack of consequences reduces the chances for serious compliance with international law or the rules of common decency. Are we really to believe that respect for these standards and consequences are to be discarded because their application is inconvenient? Because they reduce some notion of flexibility? That we only have to enforce or observe the laws we like? What a principle.

I for one do not intend to live by such a notion. I will also from now on be far more interested in knowing just what the fudge factor is in assessments from the Administration. I hope my colleagues will also be more demanding.

#### INTERNAL REVENUE SERVICE RESTRUCTURING AND REFORM ACT OF 1998

The Senate continued with the consideration of the bill.

Mr. MURKOWSKI addressed the Chair.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. MURKOWSKI. Mr. President, as a member of the Senate Finance Committee, I rise in strong support of this legislation which is going to overhaul the agency that is probably more feared by Americans than any other single agency—the IRS.

Mr. President, at the Finance Committee hearings that began last September and ended last week, the American public heard some chilling testimony—testimony of an agency that is